

CHURCH AND STATE

A MONTHLY REVIEW



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JANUARY 1957

New York a Testing Ground as Cardinal McIntyre Launches New 'GI Bill' Drive for Public Funds

Private colleges and universities in New York State have entered into direct competition with the State University (a co-ordinating agency for the state's higher education program) for a share of several hundred millions of tax dollars which the forthcoming Albany legislative session will be asked to appropriate for education. Resisting the private subsidization drive, Dr. William S. Carlson, president of the State University, pointed out early in December that suggested state loans and grants to private institutions might require abandonment of New York's constitutional prohibition against state support of church enterprises. On December 11, however, Governor W. Averell Harriman indicated at a press conference that Dr. Carlson had been expressing his personal opinion, not that of the administration.

At the same time, the top-ranking West Coast spokesman of the Roman Catholic hierarchy, James Francis Cardinal McIntyre of Los Angeles, reiterated the propaganda line that "the much-heralded GI Bill of Rights" is a legal precedent for tax aid to students of church schools. *Church and State* (September, 1953, p. 6, col. 2, and January, 1956, p. 2, cols. 1-2) has demonstrated the twisted nature of this reasoning before. Briefly, the Cardinal's analogy is completely groundless because it pretends that ordinary civilians pursuing peacetime educational careers are entitled to the same special rewards which Congress gave to servicemen whose educational careers had been interrupted by war. Similarly groundless is the reasoning which lumps together government aid to scientific researchers working in the interest of national defense and government aid to church schools performing no public service whatsoever.

Cardinal McIntyre dusted off this false analogy and trotted it forth again in his address of December 9 at the dedication of the new "University of Dallas," Texas—a Roman Catholic institution whose usurpation of a municipality's name is symbolic of the continuing Catholic drive to clothe the church with the trappings of state power and prestige.

As the New York State controversy

Cardinal McIntyre Suggests Solution to Problem Use GI Bill of Rights Plan In Federal Aid to Schools

Dallas, Tex. — The formula of the GI Bill of Rights was suggested as a means of providing Federal aid to education "with justice."

Denver (Catholic) Register, Dec. 16, 1956

developed, the Association of Colleges and Universities of New York—headed by the Jesuit educator, the Rev. Laurence J. McGinley—called for a 10-point program of state financing for private colleges and universities, in opposition to Dr. Carlson of the State University, who said that the proposals amounted to "a bid for the state to take over private payrolls," including those of church institutions, in violation of the state constitution. He was alluding particularly to Article 11, Section 4, which provides:

Neither the state nor any sub-division thereof shall use its property or credit or

any public money, or authorize or permit
(Continued on page 5)

POAU Demands Inquiry Into TV 'Luther' Ban

Telegrams to the House Committee on Un-American Activities and the Federal Communications Commission were sent on December 20 by POAU Executive Director Glenn L. Archer, demanding investigation of the banning of the film, *Martin Luther*, from a December 21 televised showing for which it had been scheduled by Chi-

(Continued on page 8)

LOS ANGELES HAILS 9th CONFERENCE

Los Angeles POAU committees are completing arrangements for the 9th National Conference on Church and State, to take place in Los Angeles' First Baptist Church, Monday and Tuesday, February 4 and 5, 1957.

Heading its distinguished roster of speakers is Methodist Bishop Gerald H. Kennedy of Los Angeles, who will address the opening rally on Monday night. Paul Blanshard, author of *American Freedom and Catholic Power*, will speak at the Tuesday night mass meeting.

Reserved section tickets for the Monday and Tuesday night meetings are available to sponsors and advance registrants. There is yet time to register. A blank is found on page seven.

This is the first Conference on Church and State held on the West Coast, the previous eight having taken place in Washington, D. C. The Los Angeles office of POAU is located at 3923 West Sixth Street. Organization Director John C. Mayne is in California assisting with preparations.

• Editorial •

What Is Bigotry?

Every morning I get off the bus with a man I do not know. I am sure he is a Roman Catholic, for he heads straight for St. Matthew's cathedral and goes in. Every morning it is the same. Perhaps he goes in for early mass, perhaps for a period of meditation and prayer. I do not know what he does there.

Suppose I were to object to his going into the church. Suppose I were to ridicule this daily practice. Suppose I should refer contemptuously to his holy habits, ridiculing the man publicly and in personal conversations. Suppose I should attempt to dissuade him from going into the cathedral, arguing that his religion was nothing but superstition and idolatry and that an intelligent person should know better. Suppose I should try to get the police to interfere with this man. Suppose I should try to get laws passed which would prohibit this "false worship" or at least confine it to side streets and alleys, away from public notice. Such actions would be bigotry.

Let us suppose again. Let us suppose that this man should decide that his religion was so good that everybody ought to help pay for it. Suppose he should get the institutions of his church supported by tax funds so that I and millions of others who did not share its beliefs at all would be required to contribute to it. Suppose I object when confronted with this program of compulsory contribution to the Roman Catholic Church. Suppose I say: "I refuse to pay." That is not bigotry—it is my God-given right of dissent.

Across the United States today a high-powered campaign of clever propaganda and political machination is being waged to secure government financing for the Roman Catholic Church. There is subsidy by indirection as nuns teaching in public schools and Roman Catholic chaplains serving in the armed forces are exempt from withholding tax and the money goes to their church. There is indirect subsidy as large industries operated in the name of the church are given favored tax status. There is direct subsidy as millions of dollars pour into the coffers of the Roman Church under the Hill-Burton Act. There is direct subsidy as \$18 million of U. S. funds—a figure that is sure to mount to \$31 million—is paid to the Roman

Church in the Philippines. Complete public support for its parochial school system in this country is now being sought by the hierarchy. There is an all-out drive straight toward that goal.

It is not bigotry to oppose those who are insisting that we pay for their religion. It is, rather, the duty of all who cherish our country's tradition.—C. S. L.

• Editorial •

Genteel Larceny

One by one the names of American cities are being quietly captured by Roman Catholic educational institutions while non-Catholic citizens permit the genteel larceny without protest. The latest city to "give" its name to a Catholic college is the great city of Dallas, where Cardinal McIntyre, at the grand opening of the (Catholic) University of Dallas sounded the clarion call for public funds for Catholic schools, discussed elsewhere in this issue.

Here are the names of thirteen municipalities in the United States whose names have been captured in recent years by the Catholic hierarchy or Catholic religious orders and attached to wholly Catholic institutions. We give them in the order of their listing in the *National Catholic Almanac*.

University of San Francisco
Fairfield University
Boston College
University of Detroit
St. Louis University
Niagara University
University of Dayton
University of Scranton
University of Dallas
Seattle University
Wheeling College
San Diego College for Men
Manhattan College

The purpose of this quiet assumption of historic American locality names is quite obvious. Those good American names help to create the impression that the Catholic institutions bearing the public labels are American in nature and control, that they are, as the Catholic bishops said so euphoniously in their plea for public funds for their schools last November, an "integral part of the American school system."

These Americanized labels, of course, are nothing more than a kind of nominative double-talk. Every

Catholic college in America is controlled by a religious order or bishop or aggregation of bishops all of whom can be directed, removed, disciplined or controlled in both economic and cultural matters by the Pope and the hierarchy.

Unhappily, a city's name, once granted to a Catholic college, cannot be recovered. It is permanently lost to its citizens, no matter how much they may covet it for some new and genuinely public institution of learning in their locality. The public name can be used successfully and adroitly by one church for its own purposes. For many years some of the most reactionary statements on social and political policy to find their way into American newspapers were issued by a gentleman who signed himself "Professor of Political Science, University of San Francisco." Few of his readers knew that he was a fanatical devotee of papal policy and that the University of San Francisco was a Jesuit institution.

Can this be stopped? We believe that it can be if every member and friend of POAU will become alert to the danger and will assume some responsibility. One argument, addressed to any city council when it is asked to grant the city's name to a private institution, should be enough. American higher education is growing at such a miraculous pace that there is not a city in the country which, some day, may not need its own name for its own college. Hands off! American names belong to America!

Church and State

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CHURCH AND STATE



ATTENDING POAU'S DECEMBER 4 BOARD MEETING in Washington, the above leaders were among the 500 participating in an evening public rally at Foundry Methodist Church. They were, left to right: Associate Minister Herman McKay of the host church; Dr. Pope A. Duncan of Eastern Baptist Seminary, Wake Forest, N. C., substituting for scheduled speaker Roy O. McClain, who was ill; Seventh-day Adventist Pastor Taylor G. Bunch of Takoma Park, Md.; EUB Minister and POAU Advisor George Schnabel of Arlington, Va.; POAU Associate Director C. S. Lowell; POAU President Charles C. Morrison; Dr. James R. Bryant, POAU advisor and Richmond Baptist leader; and POAU Organization Director John C. Mayne.

'Shrine' Plan Calls For U. S. Giveaway

POAU investigators are studying a proposed plan presented in the last session of Congress by Representative James A. Byrne of Philadelphia, to spend \$1,500,000 of federal money for the development of Old St. Joseph's Catholic Church of Philadelphia as a national shrine. The Byrne bill, embodying this plan, was rushed through the House of Representatives in the closing hours of the last session. As revealed in *The Christian Century* of October 3rd, it failed of passage in the Senate largely by accident. It will come up again.

The \$1,500,000 proposed in the Byrne bill is provided for the purchase and development of the land around Old St. Joseph's Church and its inclusion in the Independence National Historical Park. The church was not included in the original plans of the Park Advisory Commission for this area, although two Catholic members served on the Commission. Later it was argued by Catholic spokesmen that the church should be made into a national shrine because an incident in its history marked a turning point in the struggle for religious liberty in America. It was there, according to Catholic claims, that in 1734 the Provincial Council of Pennsylvania, in defiance of the ruling of a British colonial governor, allowed Catholics to celebrate the Mass.

Catholic Church leaders have persuaded both Pennsylvania and Philadelphia officials to endorse a plan under which—at federal expense—the entire block of buildings sur-

rounding the old church would be torn down in order to give a dignified approach to the shrine. Under the scheme, the church would be permitted to continue as an active parish church. The ground on which the church stood would continue under Catholic ownership.

Old St. Joseph's Catholic Church is a small, red-brick structure dating from the nineteenth, not the eighteenth, century. It is located in an alley off Walnut Street. It is not the original structure in which the celebration of the Mass was permitted in 1734. In fact, as Representative Byrne testified in a June 22 hearing before the House Subcommittee on Public Lands, it was placed in an alley "in order not to be conspicuous" in the days when Catholic institutions—and also many Protestant institutions—were subject to discrimination.

In this same June hearing, Father Joseph Bluett, pastor of the church, submitted a "summary of historical facts" which did not include data concerning grants of freedom to Catholics preceding the 1734 incident, the Maryland Toleration Act of 1649, William Penn's Body of Laws of 1682, or the 1647 civil code of Rhode Island under Roger Williams. An examination of "Catholic Milestones in Pennsylvania" in the *National Catholic Almanac* (1956 edition, p. 366) shows that "religious toleration to all" was first granted to Catholics in Pennsylvania by William Penn in 1682, not in 1734.

No opposition has developed to the making of Old St. Joseph's into a shrine, but the proposed expenditure for the enterprise has been questioned as somewhat extravagant.

(Continued on page 7)

Tax Exemptions Stir Inquiries

POAU headquarters has been inundated with a flood of inquiries concerning the appearance of its special counsel, Paul Blanshard, before a subcommittee of the House Ways and Means Committee on November 19 (*Church and State*, December).

Following Blanshard's appearance, Glenn L. Archer, executive director of POAU, addressed a letter to the Commissioner of Internal Revenue which called attention to the many requests for information. The letter then said: "We do not ask for any information concerning any particular corporation or religious order, but we do feel that the Internal Revenue Service should tell us explicitly what are the policies of the Treasury Department now concerning (a) the collection of taxes under Section 511 on the unrelated business income of religious orders which produce wine and brandy, and (b) the corresponding policy of the Department for religious orders which operate radio stations selling commercial time."

Mackay Addresses St. Louis Meeting

The menace of clericalism to the "welfare and destiny of this nation" was decried by Dr. John A. Mackay, president of Princeton Theological Seminary and a national vice-president of POAU, in his address, "Here We Stand," at a public meeting on November 16 in the Third Baptist Church of St. Louis, Mo. The meeting was sponsored by the city POAU chapter. The Rev. J. Edwin Hewlett, pastor of the Southwest Baptist Church and chapter president, presided.

Defining clericalism as "the seeking of power by a religious hierarchy for purposes of social domination," Dr. Mackay declared:

"I would be willing to die that my Roman Catholic friends be themselves and hold their faith, but I also would be willing to die to prevent the implementation of some of those ideas in the public life here."

Another speaker was James F. Hornback, leader of the Ethical Society of St. Louis. Dr. Albea Godbold of St. John's Methodist Church and Dr. W. Davidson McDowell of Ladue Chapel were among the chapter directors who participated in the program.

Polish Primate Swings Communist Pact While Vatican Plays Dumb

A Roman Catholic-Communist agreement, proclaiming "peaceful co-existence" of the two supposedly antithetical forces, was announced in Poland on December 7.

Though recent "Titoist"-like upheavals have brought new regimes to power in Poland as well as Hungary, the current Warsaw government is still a Communist one and the Vatican, in an obvious attempt to minimize the embarrassing implications of such a partnership, "emphasized . . . that these concessions were made by the Polish Government in negotiations not with the Vatican but with [Stefan] Cardinal Wyszyński acting for the Polish hierarchy" (*New York Times*, December 8). Actually, the list of Vatican concordats or agreements with totalitarian regimes—Mussolini's, Hitler's, Franco's, Rojas', Trujillo's, among others (*Church and State*, March, May, September and October, 1954; see, also, POAU pamphlet, *Unholy Alliance*)—demonstrates that the Holy See has had no real compunction about making deals with dictators, though it has naturally had greater difficulty getting along with "red" than with "black" forms of totalitarianism. Pope Pius XII told the National Convention of Italian Catholic Jurists on December 6, 1953:

"The Concordats are for her [the Roman Catholic Church] an expression of the collaboration between the Church and the State. In principle, that is, in theory, she cannot approve complete separation of the two Powers."

The new Polish agreement was revealed in a communique of the joint state-church commission which had been set up after Cardinal Wyszyński's release from house arrest on October 28. The news immediately stirred speculation that diplomatic relations between Poland and the Vatican might soon be resumed.

"Representatives of the [Roman Catholic] Episcopate," the communique observed, "said that as a result of the changes in public life, which aim at the establishment of legality, justice, peaceful coexistence, social morality and the repairing of wrongs, the Government and people's authorities will find in the Church hierarchy and clergy full understanding of these endeavors." In return, the Government promised to bring about "realization of the principles of full freedom of religious life. . . ." Details of the agreement included:

- Extracurricular religious instruc-

tion in grade and high schools will be provided at parents' request, given by state-paid teachers appointed with church consent, using textbooks and materials approved by both church and state. "School and church authorities guarantee full freedom and tolerance for believers as well as non-believers and they will decisively counteract any manifestation of intolerance."

- Five bishops whose appointments had been vetoed by the government since 1951 are to return to their dioceses, and future appointments of clergymen will be governed by a law to be drafted jointly by church and state officials.

- Chaplains will no longer be impeded in ministering to the religious needs of hospital patients.

The Vatican has maintained diplomatic relations with the Polish Government-in-Exile, a fact which gives it an additional reason for conceiving the fiction that Cardinal Wyszyński acted independently of Rome in negotiating the agreement.

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Bias Seen in Routing Of Hungarian Refugees

The possibility of religious discrimination against some of the Hungarian refugees seeking asylum in the United States has caused concern in recent weeks.

The discrimination issue had been given prominence in a story sent from Paris by William H. Stoneman of the Chicago Daily News Foreign Service and published in the *News* and other papers on November 26 and 27. "It has paid," Stoneman wrote, "to be a member of a church in good standing during the rush of Hungarian refugees to find refuge in the United States."

"No matter how decent or deserving they may be, people who don't profess any particular faith or who have gotten in trouble with their church authorities because of divorce or similar digressions from church

law, have been relegated to the back row in seeking admission to the United States.

"You must be sponsored religiously," they have been told. . . .

"Some American officials don't agree with this system of sorting swans out from among the geese."

In a follow-up story on November 28, William McGaffin of the *Chicago Daily News* Washington bureau reported:

"A spokesman for the Catholic Relief Services confirmed that this organization does not sponsor refugees with 'bad marriages' because it would 'make for bad resettlement' once they got to the United States. He said, however, that such cases were referred to non-religious organizations for sponsorship. A State Department spokesman agreed that this procedure was being followed. [Some thirty voluntary agencies are recognized by the State Department for cooperation in the refugee relief program—*Editor's note.*] But on December 1 *The New York Times* reported: 'Msgr. Aloysius J. Wycislo, director of resettlement for the National Catholic Welfare Conference's relief services, denied stories yesterday that only those Hungarian refugees who had religious sponsorship were receiving visas to enter the United States.'"

Delegated Task

More light was thrown on the question in a *Times* dispatch from Vienna by Max Frankel, published on December 9:

"Most nations represented here attempted to send missions to the more than seventy camps throughout Austria to explain their immigration standards and procedures. Until the week-end, however, the United States had delegated this sensitive task to American religious welfare organizations."

"Few complaints about the efforts of these agencies were registered, but each had private standards beyond the government's standards. If, for instance, a Roman Catholic refugee who had been divorced was considered unacceptable for sponsorship by the National Catholic Welfare Conference, he had to try at the World Council of Churches. There were a few rejections. In one case, the absence of co-ordination resulted in the separate transport to the United States of two persons, friends since childhood, whose different faiths required 'processing' through different channels."

CHURCH AND STATE

'GI Bill' Drive

(Continued from page 1)

either to be used, directly or indirectly, in aid or maintenance, other than for examination or inspection, of any school or institution of learning wholly or in part under the control or direction of any religious denomination, or in which any denominational tenet or doctrine is taught, but the legislature may provide for the transportation of children to and from any school or institution of learning.

Regents' Role

Although the State University had announced that it would propose to the legislature a \$250,000,000 state bond issue and larger annual appropriations to expand the state-wide system, the 10-point program advanced by the private association of colleges hurts the state program's chances for enactment. The strategy of the non-public institutions is to take the ball away from the State University and pass it to the State Board of Regents, parent body of the University. At his December 11 press conference, Governor Harriman, after first trying to avoid taking a clear position on the dispute, finally seemed to endorse the private schools' maneuver by saying:

"It's the Regents' responsibility, not that of the president of the State University, to develop our program for higher education. The Regents have responsibility for all higher education, public and private."

The private program calls for: long-term, low-interest state loans to be awarded through a specially-created state authority; state matching grants-in-aid "where necessary or preferable" to loans; creation of "contract" state colleges for professional and graduate training; measures to help private colleges build up their faculties; study by the State Education Department of private colleges' financial problems; additional public support for junior colleges, with jurisdiction transferred from the State University to the Board of Regents; provision of one state scholarship for every five high school graduates; state scholarships for professional training; development by the Board of Regents of a program of inter-institutional cooperation; and creation of a planning and development division in the State Education Department.

Referendum

A state referendum election next fall would be necessary to ratify the State University's proposed \$250,000,000 bond issue, assuming it is passed by the legislature in the spring.

Leaders of the Republican majority have previously endorsed the State University's request, but the private group's counter-move could bring about defeat of the public program, particularly with Governor Harriman's Democratic administration favoring the private plan.

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Coloradan Fights U. S. Election's Code Change

A Denver printer and former city councilman, Clarence M. Stafford, is fighting legal charges that he violated a federal criminal statute which requires all sponsors of political campaign literature to identify themselves. Stafford produced and distributed during the last presidential campaign an anonymous handbill which, according to his critics, raised a "religious issue" and constituted "smear literature." He is being prosecuted by United States Attorney Donald E. Kelley.

The Stafford case attracted national attention partly because of the peculiarly one-sided character of the news stories sent out by press services and columnists. The incident was presented as an unprovoked and ominous revival of "hate" literature. Drew Pearson, usually a sound commentator on church-state matters, described Stafford's offense in terms of complete condemnation without mentioning any provocation. The FBI entered the picture dramatically ostensibly to expose and punish "anti-Catholicism."

Catholic Example

An examination of the actual handbill produced by Stafford indicates that it was primarily a reply to three previous news stories, in which Catholic candidates were listed, by the largest-selling Catholic newspaper in the United States, the *Denver Catholic Register*. Of the three stories from the *Register* cited by Stafford in his handbill, the one of September 13, 1956 was typical. The heading ran: "Catholics Lead Demo Slate for Top State Posts." The *Register* mentioned the candidates by both name and parish.

Stafford's own statement was headed: "Vote Nov. 6, 1956 to preserve your heritage of Religious Liberty and Freedom. The following candidates believe in and will support Separation of Church and State and Will Not accept orders or directives

from any foreign Totalitarian Authority." He listed 8 Republicans and 2 Democrats in his approved slate, but the handbill did not contain any label "Protestant" or "Jewish" attached to any name. Stafford is fighting his case with the claim that the "anonymous leaflet" provisions of the federal election law impair a citizen's rights of free speech under the Constitution.

Questions and Answers

POAU's position in such cases has been presented in several past issues of *Church and State*, particularly in the issues of December, 1951 and November, 1952. Needless to say, POAU stands for the observance of all election laws. In general, the organization has opposed the indiscriminate and wholesale labelling of candidates by denomination, believing that this practice may lead to bigotry and abuse. *Church and State* has suggested as an alternative that voters should address searching questions on church-state policy to all candidates, and then make a choice on the basis of the answers. We do not know whether or not Stafford pursued this course prior to distributing the handbill.

Equal Justice?

Because of the one-sided publicity Stafford's predicament may excite sympathy among POAU members. The present election regulations are difficult to enforce with "Equal Justice Under Law"—the lofty ideal carved on the Supreme Court building in Washington. A large and violently partisan newspaper—probably the most violently partisan newspaper in the United States—lists candidates of its own faith by denominational label and, by inference, urges their election, but is entirely excused from both legal and journalistic attack. It is not even required to identify the particular editors or officials who directed such political listings in a religious journal. Was it the President of the *Register*, the Most Reverend Archbishop of Denver, Urban J. Vehr? Was it the Editor-in-Chief—one of the most famous Catholic journalists in the country—the Right Reverend Matthew Smith? Was it the Managing Director, the Very Reverend Monsignor John B. Cavanagh? Somehow we doubt that United States Prosecutor Kelley or the FBI will supply the answers. Sauce for the political goose is not always sauce for the ecclesiastical gander.

Subsidy Drive Gains Momentum

What appears to be a new drive by the Roman Catholic hierarchy to secure tax funds for parochial schools is rapidly picking up speed. The address by Cardinal McIntyre reported in this issue has lent the highest authority of the American hierarchy to the drive. One of the most vociferous advocates of this unconstitutional procedure is Richard Joyce Smith, author of an article on the subject in the November 10 issue of *America*. This magazine is the country's leading Jesuit publication. Smith, a member of the State Board of Public Education in Connecticut, has been using this same material in a series of speeches up and down that state.

Smith makes five points in his plea for state subsidies to the parochial schools: (1) There are now so many parochial school pupils that the state is morally obligated to give them recognition and support. (2) If the state fails to do this, the Roman Church might conceivably "dump" its children on the public schools, thus creating a chaotic situation. (3) If laws or constitutions forbid tax aid to Roman Catholic schools, these should be repealed or ignored. (4) A community faced with the desirability of providing tax funds for Roman Catholic schools should forget about laws and constitutions which might happen to disapprove. It should proceed to "the development at the local level of the kind of integrated educational service that can best serve the particular needs of each community." (5) Anyone who would deny public funds to Roman Catholic sectarian institutions is trying to destroy them and create a monopoly of education by the public schools.

The confusion in Joyce Smith's thinking is nowhere more apparent than in his final point. He contends that anyone who opposes government money to parochial schools is trying to destroy these schools. Why so? There are many fine enterprises in our country which receive no government money. Does the fact that no government money is given constitute an attempt by the government to destroy them? Of course not. The truth is that there are certain enterprises—churches, for example—that might well be corrupted and damaged if they did receive government money.

The basic fallacy in Smith's argument, however, is that he fails to distinguish between a liberty which individuals are free to exercise and the

duty of the government to finance such exercises. Actually, the two are quite distinct.

The Constitution guarantees me free speech. But this does not mean that the government is required to hire a hall every time I want to exercise that particular liberty. Likewise, the Constitution assures me freedom of worship, but this does not mean that the government should finance my church.

Public schools are provided for all children. The liberty of choosing not to send one's children to these schools and to send them instead to private schools, has been guaranteed to parents by the U. S. Supreme Court in an interpretation of the Constitution. Parents who exercise this liberty are respected in it. But that does not mean that the government must finance the private school they choose after they have rejected the public school.

Smith makes much of the fact that 17 per cent of Connecticut's children are in private schools. What does this prove? It proves that just so many parents are exercising their liberty to send their children to schools other than public. The figure of 17 per cent—or even 50 per cent, which Smith is presently trying to achieve for his church—constitutes no argument that these schools should be state-financed. It is not a matter of numbers; there is a principle at stake.

Smith implies a threat: if the Roman Church does not get public funds for its sectarian schools it may reverse its present policy. Instead of attempting to pull pupils out of the public schools, as it has been doing, it might dump them all on these schools. This would create a chaotic situation. The argument from blackmail is a familiar one. It says in effect: "Pay us or we may ruin you."

In British Columbia some years ago the Roman Church carried out this threat. It did close several schools and sent all their pupils to the public schools. The public schools promptly met the challenge and accepted the total responsibility. The truth is that a public system capable of handling 80 per cent or 90 per cent of the school population could quickly be expanded to handle 100 per cent. The closing of the parochial schools might have the beneficial effect of shocking the nation into a proper realization of its educational responsibilities.

Public financing for Roman Catholic schools is public financing for the

Roman Catholic Church. The two are indistinguishable. The parochial school exists for the church; the school is the church. It is the church in its most important function. This is a fact denied by none. Public money which goes to the church's schools is public money which goes to the church. It is not a case of two pockets in the same trousers; it is the same pocket.

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State Department Aloof on Haiti

POAU's plea for redrafting of the defective U. S. draft treaty with Haiti (*Church and State*, November) was politely turned aside by a State Department official in a letter of December 11—written as news from the island republic indicated a change of government there which might well justify a review of our country's relations with it.

John P. Meagher, State Department public services division chief, indicated in the letter that the administration had not budged from the position assumed after POAU first called national attention to the omission of religious liberty guarantees from the draft treaty (*Church and State*, May, 1955). He repeated the earlier argument that since the formal guarantees were distasteful to the Haitian Government, they should not be included in the treaty, there being no reports of "refusal of admission [by Haiti] of a *bona fide* religious organization" to the country. He said that 54 non-Catholic sects operate unmolested in Haiti.

POAU Executive Director Glenn L. Archer wrote again on December 18 to Secretary of State John Foster Dulles, commenting on Meagher's reasoning that safeguards should be sought only after actual acts of suppression: "If this had been the criterion for inclusion or exclusion of the religious liberty guarantee in our treaties, it appears that very few treaties would have contained the traditional assurances. The guarantee of religious liberty originated not as a result of violations but as a result of mutual agreement that such liberty was desirable and ought to be favored."

Archer again urged re-negotiation of the treaty, particularly in view of the "recent change in the Haitian government. . . ."

CHURCH AND STATE

'Shrine' Plan Calls for U. S. Giveaway

(Continued from page 3)

Judge Edwin O. Lewis of Philadelphia, chairman of the Advisory Commission of the National Park, while conceding the high moral worth of the enterprise, testified at the June Washington hearing that "we do not think it should be as extensive as

Congressman Byrne's bill makes it."

One other church in the Independence Park area, located several blocks away from the Square, has been designated as a shrine and slated to receive some federal funds, not for clearance or construction next

to the church but for clearance of land across the road in order to give a better public view of the edifice. It is the famous Christ Church (Episcopal), a church once attended by many historic figures of Revolutionary days. The federal government has already spent about \$26,000 for clearance near this church.



BISHOP GERALD H. KENNEDY
of Los Angeles



PAUL BLANSHARD
Author, Washington



DR. J. HOWARD WILLIAMS
of Ft. Worth, Texas



DR. GENE E. BARTLETT
host pastor

Other speakers and leaders are listed on the official program being sent to all sponsors and registrants.

Los Angeles' First National Conference on Church and State

ATTEND THE

TWO GREAT PUBLIC RALLIES

featuring Bishop Kennedy on Monday night, February 4, and Paul Blanshard on Tuesday night, February 5. Both rallies at 8 o'clock in the auditorium of

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Westmoreland at 8th, in Los Angeles

FEBRUARY 4 and FEBRUARY 5

Come early for free seat. Reserved section for advance registrants and sponsors.
(See blank below)

CONFERENCE PROGRAM IN BRIEF

All sessions in First Baptist Church building

MONDAY, FEBRUARY 4

10 A.M.—Clergyman's Conference, "Religious Liberty Message."

12:15 Noon.—Luncheon. Dr. Clyde W. Taylor.

2:30 P.M.—Round Table on Church-State problems.

4:30 P.M.—Reception for Sponsors, Registrants, Speakers and Guests.

8:00 P.M.—Public Rally. Dean Glenn L. Archer and Bishop Kennedy.

TUESDAY, FEBRUARY 5

9:30 A.M.—Address. Dr. Frank H. Yost.
11 A.M.—Action Workshop for all Leaders.

12:15 Noon.—Luncheon. Dr. J. Howard Williams.

2:30 P.M.—Panel Session on legal work of POAU.

4:00 P.M.—Drama Presentation, "Roger Williams and Mary."

8:00 P.M.—Public Rally. The Rev. C. Stanley Lowell and Paul Blanshard.

The 9th Conference is sponsored by Protestants and Other Americans United for Separation of Church and State, 1633 Massachusetts Avenue, N.W., Washington 6, D. C. Los Angeles POAU Office at 3923 West 6th, Phone DUNKirk 5-5526.

REGISTRATION AND RESERVATION BLANK FOR 9th CONFERENCE

Mail to:

POAU, 1633 Massachusetts Ave., N.W.
Washington 6, D. C.

or POAU Office, 3923 W. 6th
Los Angeles 5, Calif.

(.....) I wish to Register for Conference, \$1.00. Send two rally tickets @ \$1.50.
Send me: (.....) Monday luncheon tickets @ \$1.50. (.....) Tuesday luncheon tickets @ \$1.50.

Name Total enclosed \$

Street Address

City (.....) State

Also send (.....) gift registrations @ \$1.00 each, to names attached. Include two rally tickets to each person.

WAITING



This young couple, shown waiting for Spanish officials to act on their marriage license application, have met with a three-year delay because they are converts to Protestantism. (See "Church and State," December, p. 6, for details of Spain's restrictions on non-Catholic marriages.) Features have been partially obliterated to prevent identification and possible reprisal against the couple.

Supreme Court Dodges California Tax Issue

Declining to intervene "for want of a substantial Federal question" in the California school tax exemption case (*Church and State*, September, 1953; January and September, 1956), six justices of the United States Supreme Court voted on December 3 not to review a June, 1956, California Supreme Court decision which had held, 4-3, that state tax exemption for non-public elementary and high schools was constitutional. Justices Hugo L. Black and Felix Frankfurter voted to review the case, while Chief Justice Earl Warren—former Governor of California—abstained.

San Francisco Attorney Henry C. Clausen, who had presented the plaintiff's argument in the state courts that

the tax exemption provided an indirect and unconstitutional subsidy to sectarian schools, indicated that the exemption may face a new test in spite of the federal high court's refusal to rule. Opponents of the exemption, he said, may still propose a state constitutional amendment to outlaw it.

POAU, which consulted with Clausen in early stages of the case, did not participate in the move for a Supreme Court review.

'Luther' TV Ban

(Continued from page 1)

cago Station WGN-TV.

"The film, *Martin Luther*," Archer declared, "deserves the same rights on the air as Bishop Fulton Sheen." In his telegram to Chairman Frances E. Walter of the Un-American Activities Committee, he called WGN-TV's cancellation of the telecast "subversive of American freedom" and as worthy of investigation as "subversion by Communist organizations." The POAU director continued:

Un-American

"We believe that religious tolerance in our country is based on freedom of speech and that any move to destroy freedom of speech in matters of religion is an un-American activity which you have a moral and legal obligation to investigate and expose."

Archer, "in behalf of millions of American Protestants and other believers in religious liberty," asked the Federal Communications Commission to "hold public hearings on this incident to determine who was responsible for this suppression and how similar incidents can be prevented in

the future." He said the censorship of so educational and dignified a film "promotes intolerance, stirs up religious animosities and threatens freedom of the air."

Insulting

In a separate statement Archer ridiculed the claim of Monsignor E. M. Burke, chancellor of the Archdiocese of Chicago, that the suppression of the TV program had not been directly ordered by the Roman Catholic Church. "The Legion of Decency," he pointed out, "is an official organ of the church, and it has been condemning the film, *Martin Luther*, for several years. Monsignor Burke himself has indicated his hostility by calling the film 'down-right insulting' to some Catholics. The suppression of such a film is down-right insulting to millions of Protestants whose forefathers fought to establish religious liberty in this country."

Spellman Bans 'Doll,' Williams' Latest Film

In an action unprecedented even for him, Francis Cardinal Spellman of New York, America's most eminent Roman Catholic prelate, mounted the pulpit of St. Patrick's Cathedral on December 16 and warned all Catholics that they would commit sin if they saw the new Tennessee Williams movie, "Baby Doll," which was to have its premiere two days later. The Cardinal's office refused to say whether or not he had actually seen the film himself, but Elia Kazan, director of the picture, declared he was "absolutely certain" the Cardinal had not. "Baby Doll" carries the seal of approval of the Motion Picture Association of America.

Cardinal Spellman had not personally mounted the pulpit since his 1949 condemnation of the jailing of Hungary's Cardinal Mindszenty, and even his famous 1951 denunciation of the Italian movie, "The Miracle" (which ultimately brought about an anti-censorship U. S. Supreme Court decision—"Church and State," July, 1952), had not been made from the pulpit.

Although "Baby Doll's" seal of approval had been granted under the old movie code, dating from 1930 and initiated by Roman Catholics, President Eric Johnston of the Motion Picture Association of America released a newly adopted code on December 11—changed, he said, in a few respects (including treatment of such subjects as drug addiction) but adhering to "underlying moral principles." Interestingly enough, the director of Great Britain's Roman Catholic Film Institute said on December 20 that he thought "Baby Doll" suitable for "adult Catholics."

CHURCH AND STATE

Monthly Organ of

Protestants and Other Americans United for Separation of Church and State

1633 Massachusetts Ave., N. W., Washington 6, D. C.